



## CITY OF BURLINGTON

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**CITY OF BURLINGTON**  
**Committee of the Whole Minutes**  
**Jeannie Hefty, Mayor**  
**Diahnn Halbach, City Clerk**  
**Tuesday, July 17, 2018**

1. **Call to Order / Roll Call**

Mayor Jeannie Hefty called the meeting of the Common Council to order at 6:30 p.m. starting with roll call. Present: Mayor Hefty, Susan Kott, Theresa Meyer, Bob Grandi, Ryan Heft, Steve Rauch, Jon Schultz, Tom Preusker, Todd Bauman. Excused: None.

Student Representatives Present: None. Excused: Gabriel King and Jack Schoepke.

Also present: City Administrator Carina Walters, City Attorney John Bjelajac, Director of Administrative Services Megan Watkins, Finance Director Steve DeQuaker, Director of Public Works Peter Riggs, Building Inspector Gregory Guidry, Library Director Joe Davies.

2. **Citizen Comments** - There were none.

3. **Approval of Minutes**

A motion was made by Alderman Preusker with a second by Alderman Meyer to approve the June 19, 2018 Committee of the Whole Meeting minutes. With all in favor, the motion carried.

4. **DISCUSSION:**

Discussion regarding the Burlington Senior Center's budget and activities program. (This item was discussed after Motions)

Chairman Mary Poletti, and Administrator Gayle Boydston, from the Senior Center, reported the expenditures and come for the facility, as well as programs and activities that have been planned. Alderman Schultz asked that quarterly discussions with Council continue.

5. **RESOLUTIONS:**

- A. **Resolution 4910(12)** - to approve a contract with M.E. Simpson Company, Inc. for Hydrant Flow Testing for a not-to-exceed price of \$40,040.00

Director Peter Riggs reviewed the background and explained that hydrant flow testing is necessary as it provides important information about water system performance such as system pressure and fire flows. Riggs stated that the City last performed hydrant flow testing in 2006 and that now is an ideal time to test again as Well #11 is back in service and waiting until 2019 would be problematic due to the anticipated standpipe and water tower painting projects. Riggs stated that M.E. Simpson was the lowest bidder and recommended that Council approve this contract.

Alderman Bauman asked if it would be more cost effective if the City did their own testing versus

hiring someone. Riggs responded that because the testing is only performed every 5-10 years, the training and skill required wouldn't be of the same quality as someone who performs this testing on a regular basis.

- B. **Resolution 4911(13)** - granting an easement from the City of Burlington to WIN Properties, LLC for alley property located adjacent 413 and 425 N. Pine Street.

Administrator Walters explained that the City had been approached by Shad Branen of Win Properties, LLC and Wendy Lynch of Bon Bon Belle and Mercantile Hall, to seek use of the public alley behind 413 and 425 N. Pine Street to use as a public outdoor space in association with events hosted at the Mercantile. Walters further explained that Attorney Bjelajac has drafted an easement agreement and that both parties are in agreement with the terms and conditions.

- C. **Resolution 4912(14)** - to consider approving an Agreement between the City of Burlington and Racine County for the acquisition of property located at 617 N. Pine Street.

Administrator Walters reviewed the history stating that during the February 21, 2018 Closed Session meeting, Council directed staff to contact Racine County for the possible acquisition of 617 N. Pine Street due to the severely deteriorated building and to gain control of the property. Walters stated that back taxes have been delinquent since 2011 in the amount of \$58,768.02, but that County has offered to sell the property to the City "as-is" and forgive any back taxes and in turn, the City would hold harmless the County for any liability and agree to reimburse the County \$6,149.59 for special assessments that County previously paid to the City. Walters further stated that if the City should decide to sell the property, then the City would need to reimburse the County to offset the balance of back taxes.

- D. **Resolution 4913(15)** - to amend the City of Burlington Fee Schedule for Mobile Food Vendor Permits.

Director Megan Watkins stated that this resolution coincides with Ordinance 2036(2), which is also to be discussed this evening. Watkins then reviewed the changes to the fee schedule for Mobile Food Vendor Permits and stated that based on comparisons from similar sized communities, \$250 was an average permit fee. Watkins further stated that the permit fee does not include fees associated with the Central Racine County Health Department inspections nor the State of Wisconsin for a Seller's Permit. Watkins also stated that this does not apply to mobile food trucks associated with Special Events.

Alderman Meyer inquired about the potential of trash being left behind and if the ordinance included clean-up or maintenance. Watkins responded that the Ordinance does not contain any fees for violations, however, vendors are required to clean up. Administrator Walters also responded stating that trash and clean up would be monitored and if any issues arise, vendors would be spoken with to discuss what the City's expectations are to hopefully alleviate future issues.

Alderman Preusker responded that he liked the fee and felt it was fair. Preusker then referred to the Ordinance in which it was indicated where food trucks would be allowed and was in favor to the last three bullet points. Alderman Schultz stated that it was discussed at the June 19th meeting that trucks would be only allowed in the office parks at first and wasn't in favor of the trucks being located downtown because of the negative reaction received from the existing downtown restaurants and felt the city should be cognizant of that. Mayor Hefty clarified that food trucks would still be allowed in the downtown area during special events.

Walters responded that if Council felt food trucks should be eliminated from the downtown area and only allowed in the industrial parks unless it was part of a special event, then staff would make that change.

6. **ORDINANCES:**

- A. **Ordinance 2036(2)** - to create a new Section 254-2.1 of the Municipal Code regarding "Mobile Food Vendors".

This item was discussed during the discussion on Resolution 4913(15).

- B. **Ordinance 2037(3)** - to consider a rezone for property at 169 Industrial Drive from M-2, General Manufacturing District to M-2 (PUD), General Manufacturing District with a Planned Unit Development Overlay.

Building Inspector Gregory Guidry explained that the owner of the property is requesting the rezone so that the existing multi-tenant industrial building could be converted to condominium ownership and that a condominium conversion requires a Planned Unit Development (PUD) Overlay District.

Alderman Kott asked if the building was already set up with individual meters for utility use or if that still needs to be done. Richard Torhorst, stated that all of the tenants are metered and pay their own utilities with the exception of water; however the association is billed and then disbursed among the tenants through association fees.

Alderman Preusker raised the issue with fixed costs in which individual users are billed and felt it wasn't fair for a multi-tenant building to share that fixed cost due to a single hook-up. Attorney Bjelajac responded that although fees are regulated by the Public Service Commission, if there is something amiss, it should be looked into but it shouldn't hold up this project.

- C. **Ordinance 2038(4)** - to amend the Official Zoning Map by rezoning 332 Milwaukee Avenue from B-2, Central Business District to Rd-2, Two-Family District.

Inspector Guidry explained that the property owner, Craig Faust, is requesting a rezone to be able to convert the existing commercial business rental unit into a single-family residence, with a Conditional Use Permit. Guidry further stated that the building was originally zoned for residential, but was rezoned when it became a business district.

7. **MOTIONS:**

- A. **Motion 18-903** - to approve Ansay & Associates, LLC as the City of Burlington's Workman's Compensation and General Liability Advisor and pay the remaining seven month balance for the City's insurance premium in the amount of \$299,567.

Administrator Walters reviewed the process used in which staff chose to move to Ansay & Assoc for the City's insurance program and stated that staff's decision was solidified for several reasons, including that the City would have a local representative, that Ansay is willing to be a proactive partner for the best interest of the City, and it will be a smooth transition to the new company. Walters then introduced local representative Corina Kretschmer, and Tony Matera, Public Entity Insurance Advisor. Matera reviewed Ansay's company and services in further detail.

Alderman Grandi asked how long the contract with Ansay would be. Matera responded that it will be a yearly contract.

- B. **Motion 18-904** - to approve the 2017 Annual Audit completed by Sitzberger & Company, S.C.

Director Steve DeQuaker gave a brief overview of the audit process and pointed out that the General Obligation Debt is currently at 2.94% of equalized value, which is well within the 5% allowed by statute. DeQuaker then introduced Brian Snyder of Sitzberger & Company, S.C., to further review the 2017 Annual Audit.

8. **ADJOURNMENT**

A motion was made by Alderman Bauman with a second by Alderman Grandi. With all in favor, the meeting was adjourned at 7:47 p.m.

Minutes respectfully submitted by:

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Diahnn C. Halbach  
City Clerk  
City of Burlington